## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA AT MARTINSBURG

JEFFERSON COUNTY COMMISSION; PATRICIA NOLAND, as an individual and behalf of all others similarly situated; DALE MANUEL, as an individual and behalf of all others similarly situated,

Plaintiffs, and

THORNTON COOPER,

v.

Intervening Plaintiff,

CIVIL ACTION NO. 3:11-CV-96-JPB

NATALIE TENNANT, in her capacity as the Secretary of State; EARL RAY TOMBLIN, in his capacity as the Chief Executive Officer of the State of West Virginia; JEFFREY KESSLER, in his capacity as the Acting President of the Senate of the West Virginia Legislature; RICHARD THOMPSON, in his capacity as the Speaker of the House of Delegates of the West Virginia Legislature,

Defendants.

ORDER

IT APPEARING to the undersigned Chief Judge of the Fourth

Judicial Circuit of the United States that a civil action as

above entitled has been instituted in the United States District

Court for the Northern District of West Virginia wherein the plaintiffs challenge the constitutionality of the apportionment of congressional districts; and

IT FURTHER APPEARING that a request to convene a three-judge district court has been presented to the United States

District Court for the Northern District of West Virginia, which has notified the undersigned pursuant to 28 U.S.C. § 2284 of the pendency of such request to the end that a court of three judges may be convened as required by 28 U.S.C. § 2284:

NOW, THEREFORE, I DO HEREBY DESIGNATE the Honorable

Robert B. King, United States Circuit Judge for the Fourth

Circuit; the Honorable John Preston Bailey, United States Chief

District Judge for the Northern District of West Virginia; and

the Honorable Irene C. Berger, United States District Judge for

the Southern District of West Virginia, to serve in the hearing

and determination of this action, as provided by law, the three

to constitute a district court of three judges as provided by 28

U.S.C. § 2284.

This 29 day of November, 2011.

William B. Traxler, Jr.

Chief Judge, U.S. Court of Appeals
for the Fourth Circuit